

Application No. UP-656-05, York County Little League: Request for an amendment to a Special Use Permit (UP-417-91), pursuant to Section 24.1-115(d)(3) of the York County Zoning Ordinance, granted for the addition of a second baseball field at Zook Field, located at 110 Cook Road and further identified as Assessor's Parcel No. 24-40D. The amendment requests the addition of stadium-type lighting for the existing ball fields and the use of the fields after dusk. The property, located at the northeast quadrant of the intersection of Cook Road (Route 704) and George Washington Memorial Highway (Route 17), is zoned R20 (Medium-density Single-family Residential) and is designated for Medium-Density Residential development in the Comprehensive Plan.

Ms. Amy Parker, Senior Planner, presented a summary of the staff report dated April 5, 2005, in which the staff recommended approval. She displayed graphics indicating the subject site in relation to Cook Road and its environs.

Mr. Ptasznik noted that parking facilities are still not in place from a previously approved use permit (UP-417-91, Resolution R92-7) and inquired if that constituted a violation. **Ms. Parker** said the applicant is in violation of the previous use permit, and parking requirements under current zoning regulations were addressed in approval conditions. Approval of the subject application would require the applicant to submit a site plan that would have to be implemented before the requested lights could be installed.

Mr. Ptasznik inquired about fencing the ball fields and **Ms. Parker** stated the existing fence is 4 feet high and conditions of the proposed resolution require one 8-foot-high opaque fence to surround both fields. She said it should provide adequate screening and assist in eliminating transfer of trash from either side to the other.

Mr. Hamilton inquired whether the lights would shut off automatically at 10:00 PM, and **Ms. Parker** said the applicant has not indicated if there is an automatic device to shut them off. **Mr. Hamilton** asked if the proposed lights would illuminate the entrance to the ball fields from Cook Road, and **Ms. Parker** said the current proposal was for lights on the ball fields only.

Mr. Hamilton inquired whether the parking lot would be covered in asphalt. **Ms. Parker** said the applicants could request a waiver from paving requirements because of the existence of wetlands in the rear section of the lot.

The Vice Chair opened the public hearing.

Ms. Margaret Green, 1919 Old Hampton Highway, voiced concerns including how to ensure the fields and lights are used as intended. She recommended that the approval state that the fields were to be used for baseball only, the exact months they could be used, and a stronger condition requiring the lights to be off by 10 PM, and for the County to ensure that happens. She said trees have been removed in the last couple years, altering the topography, which she felt was a serious issue that

should be addressed from an environmental protection standpoint. **Ms. Green** was not aware of County mosquito control on the portions of the ball field that retain water. She also noted the absence of a County noise ordinance. She requested that the County enforce its existing ordinances.

Mr. Wayne Barlow, Vice President of Junior Baseball, York County Little League, 104 Emerald Court, explained the lights were needed at both ball fields because presently only one lighted field - at Dare Elementary School - is available for practices and games for the 8-to-12-year-old division. The need for additional practice times and game fields has resulted in the application, he said. **Mr. Barlow** guaranteed the lights would be extinguished before 10 PM, the League would pick up and dispose of their own trash, and would not disturb the wetlands behind the fields. He said the Little League would obtain all necessary permits and honor all of the conditions contained in a resolution of approval. Responding to an earlier question about the cost of the lights, he said to light both of the subject fields would cost \$80,000.

Mr. Ptasznik asked if the League might rent out the facilities or otherwise allow others to use them, to which **Mr. Barlow** replied there would be nothing there except baseball.

Mr. Staton mentioned the costs associated with the fencing and parking improvements and asked if the estimated \$80,000 covers any of those costs; **Mr. Barlow** responded that figure is the estimate for the lights only, and added that because of wetlands it appears a gravel parking area is preferable so costs associated with paved parking area may not be a problem. He said he would like to have the parking area complete before the lights are installed, but in any case the field will not be used until the lights have been installed. **Ms. Conner** recommended parking area completion before the fencing and lights are installed.

Mr. Staton cited a letter written to the Commission from an adjacent property owner and neighbor, to-wit:

24 Jan 05

Mrs. Parker: These are my comments concerning the applicant.

The stadium-type lighting for the Zook Field is the issue but the main issue is the maintenance of the 7.03 acres of land (Zook Field).

Due to the lack of concern for the property located at (102 Cook Road), which has been trashed for 36 years, falls on the Board members of the York County Little League.

Before the York County Little League "lights up" Zook Field, they need to "Clean it up," including the property located at (102 Cook Road). The members of the Board should do the right thing. Zook Field is for and about the kids (including their own) in the county.

The property located at (102 Cook Road) has had the hardship for 36 years; the next 36 years are on you Board members. Take care of it, please.

*Rose R. Richardson
102 Cook Road
Yorktown, VA 23690*

Mr. Staton inquired if the League was aware of its players being on the property at times other than scheduled practices and games who might generate trash on neighbors' property, or if other young people are on the property at such times. **Mr. Barlow** said the League is aware of vandalism and is not sure if the trash is from the League or its players. He said in his five years using Zook Field, the trash is always picked up before leaving the field and left at a specified location where BFI collects the trash.

Mr. Vincent Anania, 1901 Old York Hampton Highway, said he lives directly behind Zook Field near the wetlands. **Mr. Anania** was opposed to any destruction of the wetlands such as disturbing wetlands to provide more parking.

Mr. James Hensley, 1823 Old York Hampton Highway, said the noise was a bigger problem for him than the proposed lights. Also, he and a close neighbor have a problem with people cutting through their property during the day and he thought the entire fields should be properly fenced. He said the existing fence is broken in many places.

Discussion followed about the location of Mr. Hensley's property and that of his neighbor, where the neighbor keeps his horses, and where the fence line should be.

Mr. Barlow added that "older kids" cut through, mostly after hours. **Mr. Hensley** said all ages of young people cut through his property, including during Little League games.

Mr. Staton thought it regrettable that this field is in the midst of a residential area, but given the County's desperate need of additional recreation facilities, he would support approval.

Mr. Barba commended Mr. Barlow for his services to the Little League said he would support approval.

Mr. Hamilton voiced his support.

Mr. Ptasznik believed the County needed the subject ball fields and also thought recreation fields in residential areas was an advantage that allowed the County's young people to play close to home.

Mr. Hamilton moved adoption of proposed Resolution No. PC05-5.

Resolution No. PC05-5

On motion of Mr. Hamilton, which carried 5:0 (Messrs. Davis and Simasek absent), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN AMENDMENT TO SPECIAL USE PERMIT UP-417-91 TO AUTHORIZE THE ADDITION OF STADIUM-TYPE LIGHTING FIXTURES AND USE OF EXISTING BASEBALL FACILITIES AFTER DUSK LOCATED AT 110 COOK ROAD

WHEREAS, the York County Little League has submitted Application No. UP-656-05, which requests to amend the conditions of Special Use Permit UP-417-91, pursuant to Section 24.1-115(d)(3) of the York County Zoning Ordinance, granted for installation of a second baseball field at 110 Cook Road (Route 704) and further identified as Assessor's Parcel No. 24-40D, by permitting the installation of stadium-type lighting facilities and use of the existing baseball facility after dusk; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 13th day of April, 2005 the Application No. UP-656-05 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize amendment of Special Use Permit UP-417-91 to permit installation of stadium-type lighting and use of the existing baseball facility after dusk located at 110 Cook Road (Route 704) and further identified as Assessor's Parcel No. 24-40D; subject to the following conditions:

1. This approval shall authorize amendment of Special Use Permit UP-417-91 to permit installation of stadium-type lighting and use of the existing baseball facility after dusk located at 110 Cook Road (Route 704) and further identified as Assessor's Parcel No. 24-40D.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, except as modified herein or as may be necessary to comply with site plan review requirements, shall be submitted to and approved by the County prior to the installation of any lighting facilities or site disturbance.
3. No facilities installed subsequent to the date of this resolution, with the exception of light posts, shall be located within twenty (20) feet to any side property line nor within twenty-five (25) feet to the rear property line. Parking facilities, including access aisles, shall not be located within 25 feet of any property line.
4. To afford screening for abutting residential uses, eight-foot high opaque fencing of a type and materials meeting the approval of the Zoning Administrator shall be installed bordering the entire southwest property line exclusive of the access drive area. Fencing shall be

supplemented, in areas unencumbered by existing structures, with a row of evergreen trees having a planting size no less than 6 feet in height and spaced no less than 20 feet on center. Evergreen shrubs having a mature height of no less than four feet and spaced no less than 15 feet on center shall be installed parallel to each side of the existing main driveway leading to the ball fields. Side yards shall meet landscape requirements set forth in Section 24.1-242(h) of the Zoning Ordinance, except that all shrub credit requirements shall be met with evergreen plantings.

5. Use of the facility (including lighting) shall be limited to the hours between 8:00 A.M. and 10:00 P.M.
6. Minimum parking requirements shall be 60 spaces per ball field.
7. Portable rest room facilities shall be provided in accordance with County Health Department regulations.
8. Stadium-type lighting shall be MUSCO Light Structure Green hooded fixtures or their equivalent. Stadium-type lighting shall be installed in accordance with illumination summaries prepared by Musco Lighting, dated April 4, 2005, and received by the Planning Division on April 5, 2005, and which is made a part of this Resolution by reference. All other lighting fixtures shall use full cut-off luminaires installed at 90 degrees to ground level to prevent off-site glare.
9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.
